



RULES OF PROCEDURE EVANS PLANNING AND ZONING COMMISSION

In order to properly carry out the powers and duties required of it and to transact its business in an orderly and consistent fashion, the Planning and Zoning Commission of the City of Evans, Colorado, pursuant to Section 2.52.060 of the Evans Municipal Code, hereby adopts the following rules and regulations as the Rules of Procedure for the Evans Planning and Zoning Commission, also referred to as the "City Planning Commission" or "Planning Commission" in Chapter 2.52 of the Evans Municipal Code and Chapter 12 of the Evans City Charter.

Section 1: Officers

- A. The officers of the Planning and Zoning Commission shall consist of a Chairperson and a Vice-Chairperson, who shall be elected annually by majority vote of the members of the Commission at the first regular meeting in February.
- B. The Vice-Chairperson shall succeed the Chairperson if the position is vacated before the term is completed. The Vice-Chairperson serves the remainder of the term and a new Vice-Chairperson shall be elected at the next regular meeting by majority vote of the members of the Commission.
- C. The Chairperson shall preside at all meetings of the Planning and Zoning Commission. The Chairperson shall call the meeting to order and shall preserve the order of the meeting. If a person violates a rule of the Commission the Chairperson will call them to order.
- D. The Vice-Chairperson shall perform the duties and have the responsibilities of the Chairperson during the absence, disqualification, or disability of the Chairperson.
- E. In the absence of the Chairperson and the Vice-Chairperson, the most senior member of the Commission, in regard to length of service, shall perform the duties and have the responsibilities of the Chairperson.

Section 2: Executive Secretary

- A. The Director of Planning or his/her designee shall be the Executive Secretary as defined in the City Charter. The Executive Secretary shall be appointed by the City Manager and shall serve as an intermediary between the Commission and the City, but is not a member of the Commission. The Executive Secretary may make recommendations to the Commission, but shall not have any voting privileges.
- B. The Executive Secretary or his/her designee shall be responsible for:
 - 1. keeping minutes of meetings of the Planning and Zoning Commission;
 - 2. preparing and giving all required notices of upcoming meetings;
 - 3. preparing and distributing to Planning and Zoning Commission members

packets with the agenda, meeting minutes not previously approved, staff reports, and any additional information deemed necessary.

Section 3: Attendance

- A. Members of the Planning and Zoning Commission shall notify City staff as soon as possible if he/she will not be able to attend a meeting.
- B. Any member may be removed from the Planning Commission by the City Council for excessive absences in accordance with Section 2.52.040 of the Evans Municipal Code. Upon the majority vote of the Commission of a request to do so, staff shall notify City Council of the request to remove a member at City Council's next regular meeting.

Section 4: Meetings

- A. All meetings of the Planning and Zoning Commission shall be open to the public and shall be held only after the following has occurred:
 - 1. Full and timely notice to the public has been posted in a designated public location within the City of Evans, no less than 24 hours prior to the holding of a meeting. The posting shall include specific agenda information whenever possible.
 - 2. Advertising of Public Hearings shall be in accordance with the Evans Municipal Code and shall be the responsibility of City staff.
- B. The number of meetings per month and a schedule of meeting dates shall be established and may, by majority vote of the Commission, be altered or changed at any regularly scheduled meeting to the extent allowed by the City Charter, City Ordinances and the laws of the State of Colorado.
 - 1. Regular Meetings: Regular meetings shall be held on the second and fourth Tuesday of each month at a designated time in the Evans Community Complex, unless otherwise notified.
 - 2. Work Sessions: Work sessions may be called by the Chairperson, a majority of the Commission, the Executive Secretary or his/her designee, or the City Council, as deemed necessary, provided notice is posted in the designated public location as soon as possible. Work sessions do not require a quorum and no action is taken at work sessions.
 - 3. Special Meetings: Special meetings may be held by the Planning and Zoning Commission at any time and may be called by the Chairperson, a majority of the Commission members, the Executive Secretary or his/her designee or the City Council, provided notice is given in accordance with subsection A.1 of this section.
- C. The Commission may, by majority vote, continue any meeting or hearing to another time or may recess any meeting or hearing if the situation may demand.
- D. In accordance with Section 2.52.060 of the Evans Municipal Code, a majority of the Commission shall constitute a quorum. A quorum and the Executive Secretary or his/her designee must be in attendance before the Planning and Zoning Commission can call any meeting to order or take any action.
- E. The majority vote of the members present, provided there is a quorum, shall be necessary for the adoption of any rule, regulation, resolution, action, decision,

finding, recommendation, or any other official act of the Planning and Zoning Commission, except when otherwise provided by the ordinances of the City of Evans or the laws of the State of Colorado. Any member of the Planning and Zoning Commission, including the Chairperson or Vice-Chairperson may propose or second a motion. Equal voting privileges shall be extended to all members of the Planning and Zoning Commission including the Chairperson and Vice-Chairperson. All members of the Planning and Zoning Commission have one vote. Such votes shall be recorded in the minutes. In the event of a tie vote, the motion before the Commission will die for lack of a majority vote. In the event a motion is not seconded by another member, the motion shall die for lack of a second.

Section 5: Ethics Code

- A. Members of the Planning and Zoning Commission shall adhere to the applicable requirements of Chapter 2.05, Ethics Code, of the Evans Municipal Code. If a member is unsure as to whether a situation in question constitutes a conflict, the remainder of the members of the Commission shall have the say by majority vote. Members are encouraged to notify staff prior to the meeting if the member believes he or she may have a conflict, in order that staff may contact the City Attorney, if necessary.

Section 6: Proceedings

- A. The Planning Commission is not required to take action on any request that is not properly represented by interested parties, or for which all documents have not been submitted.
- B. Matters referred to the Planning and Zoning Commission by the City Council shall be placed on the agenda for consideration and action at the next Commission meeting.
- C. Reconsideration of any decision of the Planning and Zoning Commission may take place when the party seeking the consideration shows that without fault on the party, essential facts were not brought to the attention of the Planning and Zoning Commission, or a party was misrepresented.
- D. General Order of Business: Any regular meeting of the Planning Commission should follow this order of business (agenda):
 - 1. Call to order.
 - 2. Roll call.
 - 3. Approval of minutes of the preceding meeting.
 - 4. Changes to the agenda.
 - 5. Public hearings
 - 6. Any other matters for recommendations to City Council.
 - 7. Audience Participation: Any citizen wishing to speak on a matter not scheduled on the agenda may do so during this time.
 - 8. Communications with staff
 - 9. Adjournment
- E. Order of Public Hearings: Generally, the following will be the order of presentation for public hearings after introduction of any item by the Chairperson.

The order may be amended by the Chairperson if deemed necessary.

1. Chairperson opens the public hearing.
 2. Staff report.
 3. Applicant presentation.
 4. Any interested parties make presentations, stating their name, whether or not they support the application, and why or why not.
 5. The Planning Commission asks any questions of staff, the applicants, or others who have presented.
 6. Planning Commission discusses the application.
 7. Chairperson closes the public hearing.
 8. Planning Commission votes after a motion is made and seconded.
- F. Robert's Rules of Order will preside except as otherwise stated.

Section 7: Amendments

- A. These Rules of Procedure may be revised, amended, and/or waived as the Planning and Zoning Commission deems advisable and to the extent allowed by ordinances of the City of Evans and the laws of the State of Colorado.

Upon motion duly made, seconded, and unanimously adopted, the foregoing Rules of Procedure were amended and adopted by the Evans Planning Commission on the 26th day of February, 2008.

CITY OF EVANS
PLANNING COMMISSION

John Morris, Chairperson

ATTEST:

Earl Smith, Executive Secretary